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LEGISLATIVE HISTORY

Public Law 359, 82nd Congress

Chapter 327--2nd Session

S. 2322

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DIGEST OF PUBLIC LAW 359

"SMOKEY BEAR". Prohibits the manufacture or use of the character "Smokey Bear" by unauthorized persons. Provides that the Secretary of Agriculture may specially authorize the manufacture, reproduction, or use of "Smokey Bear" for a period not to exceed 180 days, expiring no later than one year after the enactment thereof, by any person who, because of plans or commitments made prior to its enactment, would suffer substantial loss if denied such authorization. All fees collected under regulations promulgated by the Secretary of Agriculture for the use of "Smokey Bear" shall be deposited into a special account to be available for furthering the nation-wide forest-fire prevention campaign.

INDEX AND SUMMARY OF S. 2322

October 18, 1951 Mr. Lind introduced H. R. 5790 (similar bill) which was referred to Judiciary Committee. Print of bill as introduced.

October 19, 1951 Mr. Russell introduced S. 2322 which was referred to the Judiciary Committee. Print of bill as introduced. Mr. Ostertag introduced H. R. 5820 (similar bill) which was referred to the Judiciary Committee. Print of bill as introduced.

January 28, 1952 Senate Committee reported S. 2322. Senate Report 1128. Print of S. 2322 as reported.

February 25, 1952 Senate passed S. 2322 with amendment.

March 12, 1952 House Committee reported H. R. 5790. House report 1512. Print of bill as reported.

March 31, 1952 House passed S. 2322 with amendment in lieu of H. R. 5790. H. R. 5790 laid on table due to passage of S. 2322.

May 13, 1952 Senate concurred in House amendment.

May 23, 1952 Approved: Public Law 359.

82^D CONGRESS
1ST SESSION

H. R. 5790

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 18, 1951

Mr. LIND introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend chapter 33 of title 18 of the United States Code by adding a new section to be known as section 711.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That chapter 33 of title 18 of the United States Code be
4 amended by adding a new section to be known as section
5 711, as follows:

6 “§ 711. ‘Smokey Bear’ character or name

7 “Whoever knowingly manufactures, reproduces, or uses,
8 for the purposes of trade or as an advertisement to induce the
9 sale of any article whatsoever, or for any other purpose, the
10 character ‘Smokey Bear’, originated by the Forest Service,
11 United States Department of Agriculture, in cooperation with

1 the Association of State Foresters and the Advertising Coun-
2 cil for use in animated cartoons and other forms of public
3 information concerning the prevention of forest fires, or any
4 reasonably identifiable facsimile thereof, or the name 'Smokey
5 Bear' as a trade name or in such manner as reasonably sug-
6 gests the character 'Smokey Bear', shall be fined not more
7 than \$1,000 or imprisoned not more than six months or both,
8 except when such manufacture, reproduction, or use has
9 been authorized, under rules and regulations issued by the
10 Secretary of Agriculture, as being consistent with the public
11 interests: *Provided*, That upon determination, under rules
12 and regulations issued by the Secretary of Agriculture, that
13 any person, because of plans or commitments made prior to
14 the effective date of this Act, would suffer substantial loss if
15 denied such authorization a special authorization may be
16 issued to such person for a period not to exceed one hundred
17 and eighty days and in no event beyond one year from the
18 effective date hereof."

82ND CONGRESS
1ST SESSION

H. R. 5790

A BILL

To amend chapter 33 of title 18 of the United States Code by adding a new section to be known as section 711.

By Mr. LIND

OCTOBER 18, 1951

Referred to the Committee on the Judiciary

82D CONGRESS
1ST SESSION

S. 2322

IN THE SENATE OF THE UNITED STATES

OCTOBER 19 (legislative day, OCTOBER 1), 1951

Mr. RUSSELL (for himself and Mr. MARTIN) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

Prohibiting the manufacture or use of the character "Smokey Bear" by unauthorized persons.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That chapter 33 of title 18 of the United States Code be
4 amended by adding a new section to be known as section
5 711, as follows :

6 "§ 711. 'Smokey Bear' character or name

7 "Whoever knowingly manufactures, reproduces, or uses,
8 for the purposes of trade or as an advertisement to induce
9 the sale of any article whatsoever, or for any other purpose,
10 the character 'Smokey Bear', originated by the Forest
11 Service, United States Department of Agriculture, in cooper-

1 ation with the Association of State Foresters and The Adver-
2 tising Council for use in animated cartoons and other forms
3 of public information concerning the prevention of forest fires,
4 or any reasonably identifiable facsimile thereof, or the name
5 'Smokey Bear' as a trade name or in such manner as reason-
6 ably suggests the character 'Smokey Bear', shall be fined not
7 more than \$1,000 or imprisoned not more than six months
8 or both, except when such manufacture, reproduction, or use
9 has been authorized, under rules and regulations issued by
10 the Secretary of Agriculture, as being consistent with the
11 public interests: *Provided*, That upon determination, under
12 rules and regulations issued by the Secretary of Agriculture,
13 that any person, because of plans or commitments made prior
14 to the effective date of this Act, would suffer substantial loss
15 if denied such authorization, a special authorization may be
16 issued to such person for a period not to exceed one hundred
17 and eighty days and in no event beyond one year from the
18 effective date hereof."

A BILL

Prohibiting the manufacture or use of the character "Smokey Bear" by unauthorized persons.

By Mr. RUSSELL and Mr. MARTIN

OCTOBER 19 (legislative day, OCTOBER 1), 1951

Read twice and referred to the Committee on the
Judiciary

82^D CONGRESS
1ST SESSION

H. R. 5820

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 19, 1951

Mr. OSTERTAG introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18 of the United States Code to prohibit the unauthorized use of the name or character "Smokey Bear".

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That chapter 33 of title 18 of the United States Code is
4 amended by adding at the end thereof the following new
5 section:

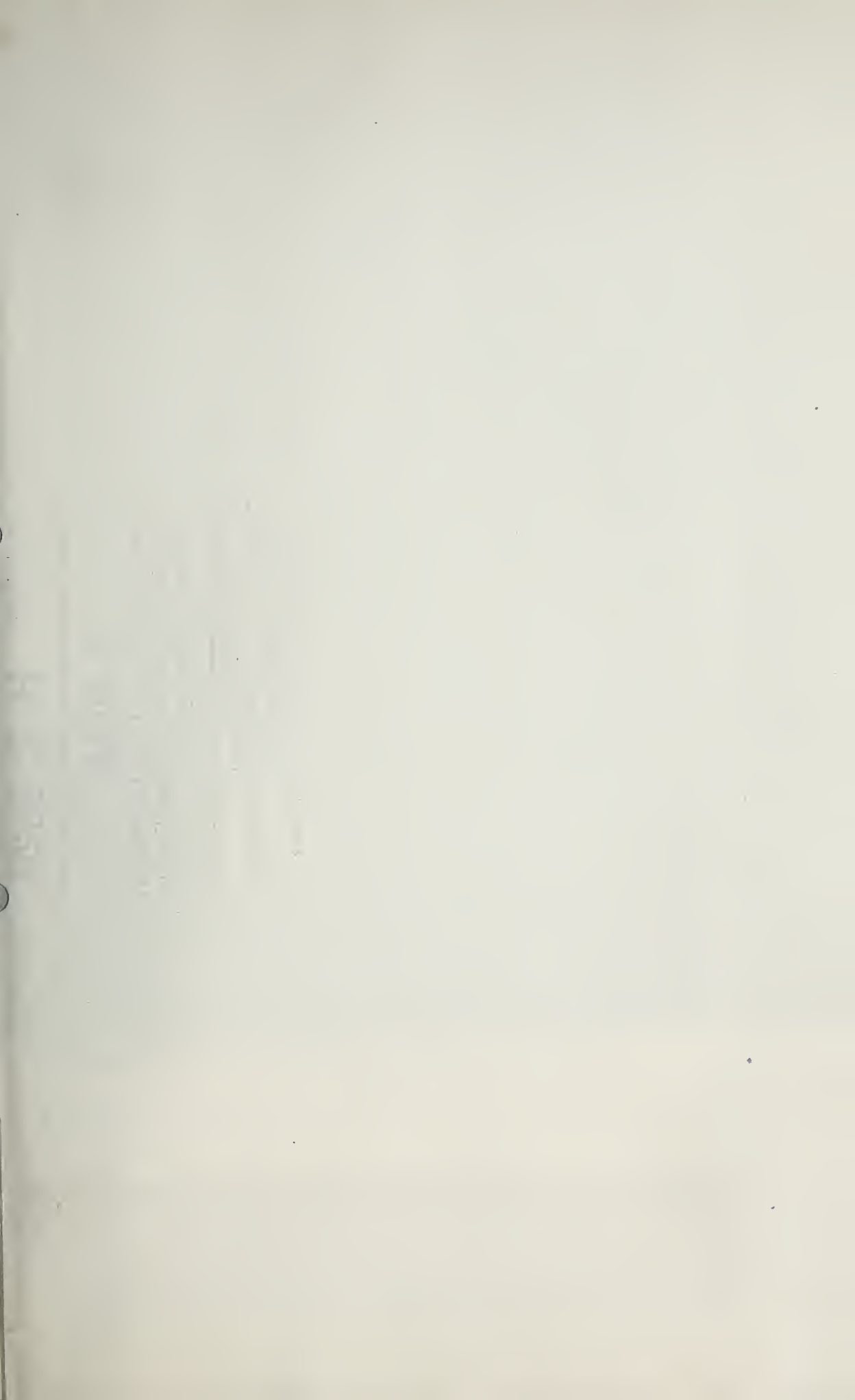
6 "§ 711. Character or name of 'Smokey Bear'

7 "Whoever knowingly manufactures, reproduces, or uses,
8 for the purposes of trade or as an advertisement to induce
9 the sale of any article whatsoever, or for any other purpose,
10 the character 'Smokey Bear', originated by the Forest Serv-
11 ice, United States Department of Agriculture, in cooperation

1 with the Association of State Foresters and The Advertising
2 Council for use in animated cartoons and other forms of
3 public information concerning the prevention of forest fires,
4 or any reasonably identifiable facsimile thereof, or the name
5 'Smokey Bear' as a trade name or in such manner as reason-
6 ably suggests the character 'Smokey Bear', shall be fined
7 not more than \$1,000 or imprisoned not more than six
8 months or both, except when such manufacture, reproduc-
9 tion, or use has been authorized, under rules and regulations
10 issued by the Secretary of Agriculture, as being consistent
11 with the public interests: *Provided*, That upon determina-
12 tion, under rules and regulations issued by the Secretary of
13 Agriculture, that any person, because of plans or com-
14 mitments made prior to the effective date of this Act, would
15 suffer substantial loss if denied such authorization a special
16 authorization may be issued to such person for a period not to
17 exceed 180 days and in no event beyond one year from the
18 effective date of this section."

19 SEC. 2. The table of contents of chapter 33 of title 18
20 of the United States Code is amended by adding at the end
21 thereof the following:

"711. Character or name of 'Smokey Bear'."



A BILL

To amend title 18 of the United States Code to prohibit the unauthorized use of the name or character "Snokey Bear".

By Mr. OSTERTAG

OCTOBER 19, 1951

Referred to the Committee on the Judiciary

Calendar No. 1062

82D CONGRESS }
2d Session }

SENATE

{ REPORT
{ No. 1128

"SMOKEY BEAR"

JANUARY 28 (legislative day, JANUARY 10), 1952.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

R E P O R T

[To accompany S. 2322]

The Committee on the Judiciary, to which was referred the bill (S. 2322), prohibiting the manufacture or use of the character "Smokey Bear" by unauthorized persons, having considered the same, reports favorably thereon, with amendments, and recommends that the bill, as amended, do pass.

AMENDMENT

1. On page 2, line 7, strike out the figure "\$1,000" and insert in lieu thereof "\$250".

2. On page 2, line 20, strike the period and the quotation marks and insert in lieu thereof the following:

: *Provided further*, That such fees as the Secretary of Agriculture may prescribe shall be deposited into a special account to be available for furthering the Nation-wide forest fire prevention campaign.

PURPOSE

The purpose of the proposed legislation, as amended, is to prohibit the manufacture or use for the purposes of trade or as an advertisement to induce the sale of any article whatsoever, or for any other purpose, the character "Smokey Bear" originated by the Forest Service, United States Department of Agriculture, for use in animated cartoons and other forms of public information concerning the prevention of forest fires.

The bill, as amended, further provides that there shall be a fine of not more than \$250 or imprisonment for not more than 6 months, or both, for a violation thereof, except when such manufacture, reproduction, or use has been authorized under rules and regulations issued by the Secretary of Agriculture.

The bill further provides that upon a determination by the Secretary

of Agriculture any person who, because of plans or commitments made prior to the effective date of this act, would suffer substantial loss if denied such authorization, may be issued a special authorization not to exceed 180 days and in no event beyond 1 year from the effective date hereof.

STATEMENT

"Smokey Bear" is a caricature developed for forest fire prevention purposes, and is the Nation-wide symbol for forest fire prevention developed by the Forest Service in cooperation with the Association of State Foresters and the Advertising Council. Because the "Smokey Bear" character and name are in the public domain, legislation appears necessary to prevent its use in ways which would be detrimental to forest fire prevention objectives. The report of the Department of Agriculture pertaining to this bill states that it is intended to issue licenses and enter into cooperative arrangements providing for commercial manufacture and sale of articles using the character and name if consistent with the public interest, as determined by the Secretary of Agriculture. Also necessary stipulations and limitations would be imposed in particular cases. Furthermore, the Department would continue to encourage the noncommercial use of the "Smokey Bear" character or name by conservation organizations and others for forest fire prevention. This symbol of forest fire prevention has such popularity and appeal that it is proving attractive for uses other than forest fire prevention. Legislation such as S. 2322 is necessary to prevent irrelevant use of "Smokey Bear," maintain its identity with forest fire prevention, and protect the large advertising value which the Federal and State fire-control agencies and the Advertising Council have built up in this symbol.

The report of the Department of Agriculture further stated that forest fires take a heavy toll of one of our most vital natural resources. Nation-wide, 9 out of every 10 forest fires are man-caused and therefore should be preventable. For many years Federal and State forestry agencies struggled alone in the tremendous task of creating Nation-wide public awareness of the need for preventing forest fires. Progress in this direction was slow until about 10 years ago when the Advertising Council, a nonprofit organization representing American business, agreed to assist this Department and the State foresters in a coordinated Nation-wide cooperative forest-fire prevention campaign. The advertising space and time contributed by American business in support of this campaign is estimated to be worth more than \$5,000,000 a year.

Early in this campaign the need for some easily identified character or symbol to represent forest-fire prevention became evident. It was thought that an animal character might best serve this purpose and after several trials a bear was selected. A hat, shovel, blue jeans, and a belt bearing the name "Smokey" were added. This now familiar figure is becoming increasingly well known to millions of people. "Smokey Bear" appears on forest-fire prevention posters, on cards in busses and streetcars, on the radio, television, and in motion pictures.

The Department of Justice in its report, which is hereto attached, points out that a maximum fine of \$250 would be more in keeping with that now imposed for similar offenses. The committee believes that a fine of \$1,000 would be somewhat excessive and therefore amends the bill to provide for a fine of \$250.

No appropriation, nor any authorization for an appropriation, is involved in S. 2322. The committee has studied with interest S. 2322, and the history behind its introduction, and feels that the bill is extremely meritorious. "Smokey Bear" has become synonymous over the Nation with fire prevention, which certainly needs the consideration and attention of all the citizens who have contact with the forests of this country. The committee is of the opinion that nothing should be allowed to be done which would, in effect, in any way minimize the identity of "Smokey Bear" with forest-fire prevention, and the committee believes that to this end the passage of the proposed legislation is warranted and it recommends, therefore, that S. 2322, as amended, be considered favorably.

Attached hereto and made a part hereof is the Department of Agriculture report on S. 2322, dated January 8, 1952.

DEPARTMENT OF AGRICULTURE,
Washington 25, D. C., January 8, 1952.

HON. PAT McCARRAN,
Chairman, Committee on the Judiciary,
United States Senate.

DEAR SENATOR McCARRAN: Because this Department is very much interested in accomplishing the objectives of S. 2322, a bill prohibiting the manufacture or use of the character "Smokey Bear" by unauthorized persons, which was referred to your committee on October 19, it submits this voluntary report with the hope that it will be helpful in the committee's consideration of the bill.

The Committee on the Judiciary, House of Representatives, requested this Department's comments on H. R. 5790, which is identical to S. 2322, and on H. R. 5820, which differs only slightly as to form and not at all as to substance.

These bills would subject to fine or imprisonment or both whoever manufactures, reproduces, or uses for any purpose the character "Smokey Bear" or the name "Smokey Bear" as a trade name unless such use has been authorized by the Secretary of Agriculture as consistent with the public interest.

The purpose of these bills is to protect the public interest in "Smokey Bear," which is the Nation-wide symbol for forest fire prevention developed by the Forest Service in cooperation with the Association of State Foresters, and the Advertising Council. Because the "Smokey Bear" character and name are in the public domain, the legislation is necessary to prevent its use in ways which would be detrimental to forest fire prevention objectives.

It is intended to issue licenses and enter into cooperative arrangements providing for commercial manufacture and sale of articles using the character and name if consistent with the public interest as determined by the Secretary of Agriculture. Also necessary stipulations and limitations would be imposed in particular cases. Furthermore, the Department would continue to encourage the noncommercial use of the "Smokey Bear" character or name by conservation organizations and others for forest fire prevention.

No appropriation or authorization for appropriation is involved in these bills.

"Smokey Bear" is a caricature developed for forest fire prevention purposes and has several distinct features as indicated on the enclosed samples of forest fire prevention material. This symbol of forest fire prevention has such popularity and appeal that it is proving attractive for uses other than forest fire prevention. Legislation such as S. 2322 is necessary to prevent irrelevant use of "Smokey Bear," maintain its identity with forest fire prevention, and protect the large advertising value which the Federal and State fire-control agencies and the Advertising Council have built up in this symbol.

Forest fires take a heavy toll of one of our most vital natural resources. Nation-wide, 9 out of every 10 forest fires are man-caused and therefore should be preventable. For many years Federal and State forestry agencies struggled alone in the tremendous task of creating Nation-wide public awareness of the need for preventing forest fires. Progress in this direction was slow until about 10 years ago when the Advertising Council, a nonprofit organization representing American business, agreed to assist this Department and the State foresters in a coordinated

Nation-wide cooperative forest fire prevention campaign. The advertising space and time contributed by American business in support of this campaign is estimated to be worth more than \$5,000,000 a year.

Early in this campaign the need for some easily identified character or symbol to represent forest fire prevention became evident. It was thought that an animal character might best serve this purpose and after several trials a bear was selected. A hat, shovel, blue jeans, and a belt bearing the name "Smokey" were added. This now familiar figure is becoming increasingly well known to millions of people. "Smokey Bear" appears on forest fire prevention posters, on car cards in busses and streetcars, on the radio, television, and in motion pictures. To many people "Smokey Bear" and forest fire prevention are synonymous.

This Department strongly recommends enactment of the proposed legislation and believes it is urgently needed to protect the public's interest in the "Smokey Bear" character and name. The proposed legislation has the endorsement of both the Association of State Foresters and the Advertising Council.

The Bureau of the Budget advises that, from the standpoint of the program of the President, there is no objection to the submission of this report.

Sincerely yours,

CHARLES F. BRANNAN, *Secretary.*

DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, January 5, 1952.

HON. PAT McCARRAN,
*Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.*

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice relative to the bill (S. 2322) prohibiting the manufacture or use of the character "Smokey Bear" by unauthorized persons.

This bill would amend chapter 33 of title 18, United States Code, by the addition of a new section to be designated "§ 711. 'Smokey Bear' character or name." The proposed section 711 would prohibit the manufacture, reproduction, or use of the character or name "Smokey Bear" (adopted by the United States Forest Service for use in disseminating information for the prevention of forest fires), or any reasonably identifiable facsimile thereof, for the purpose of trade or as an advertisement to induce the sale of any article whatsoever, or for any other purpose, except when authorized, under rules and regulations issued by the Secretary of Agriculture, as being consistent with the public interests. The section would provide further that upon determination, under such rules and regulations, that any person, because of prior plans or commitments, would suffer substantial loss if denied such authorization, a special authorization may be issued for a period not to exceed 180 days, but in no event beyond 1 year from the effective date of the enactment of this legislation. A fine of not more than \$1,000 or imprisonment for not more than 6 months, or both, would be authorized for violations of the section.

Whether or not this bill should be enacted involves a question of policy concerning which the Department of Justice prefers not to make any recommendation.

The committee may wish to consider, however, whether the fine which the bill would provide is excessive in view of the fact that legislation of a similar nature, such as sections 705, 706, and 707 of title 18, provides for a maximum fine of \$250.

The Director of the Bureau of the Budget has advised that there is no objection to the submission of this report.

Sincerely,

A. DEVITT VANECH,
Deputy Attorney General.

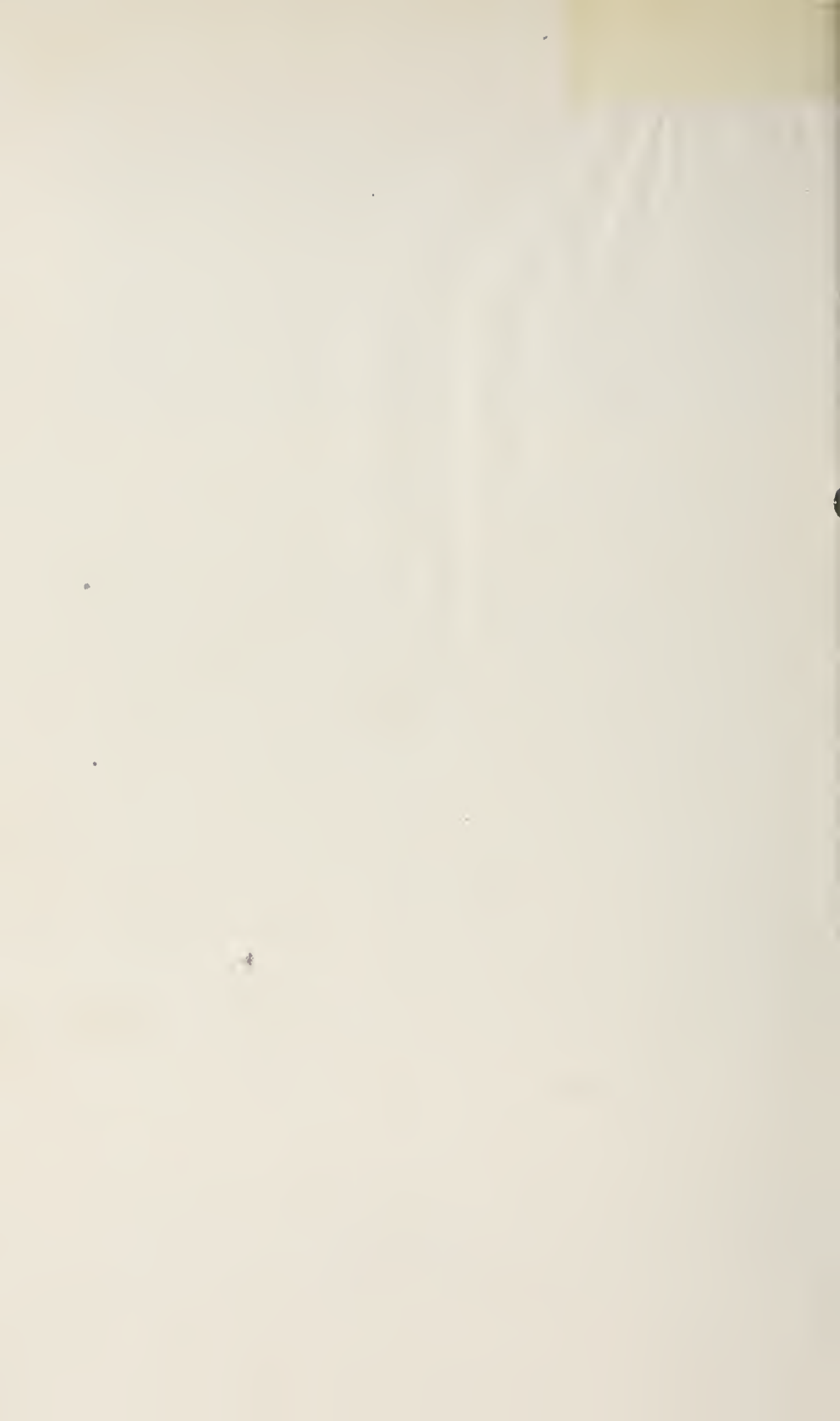
CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

§711. "Smokey Bear" character or name

Whoever knowingly manufactures, reproduces or uses, for the purposes of trade or as an advertisement to induce the sale of any article whatsoever, or for any other purpose, the character "Smokey Bear," originated by the Forest Service, United States Department of Agriculture, in cooperation with the Association of State Foresters and The Advertising Council for use in animated cartoons and other forms of public information concerning the prevention of forest fires, or any reasonably identifiable facsimile thereof, or the name "Smokey Bear" as a trade name or in such manner as reasonably suggests the character "Smokey Bear," shall be fined not more than \$1,000 or imprisonment not more than six months or both, except when such manufacture, reproduction, or use has been authorized, under rules and regulations issued by the Secretary of Agriculture, as being consistent with the public interests: Provided, That upon determination, under rules and regulations issued by the Secretary of Agriculture, that any person, because of plans or commitments made prior to the effective date of this Act, would suffer substantial loss if denied such authorization, a special authorization may be issued to such person for a period not to exceed one hundred and eighty days and in no event beyond one year from the effective date hereof.





Calendar No. 1062

82^D CONGRESS
2^D SESSION

S. 2322

[Report No. 1128]

IN THE SENATE OF THE UNITED STATES

OCTOBER 19 (legislative day, OCTOBER 1), 1951

Mr. RUSSELL (for himself and Mr. MARTIN) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

JANUARY 28 (legislative day, JANUARY 10), 1952

Reported by Mr. McCARRAN, with amendments

[Omit the part struck through and insert the part printed in italic]

A BILL

Prohibiting the manufacture or use of the character "Smokey
Bear" by unauthorized persons.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That chapter 33 of title 18 of the United States Code be
4 amended by adding a new section to be known as section
5 711, as follows:

6 "§ 711. 'Smokey Bear' character or name

7 "Whoever knowingly manufactures, reproduces, or uses,
8 for the purposes of trade or as an advertisement to induce
9 the sale of any article whatsoever, or for any other purpose,
10 the character 'Smokey Bear', originated by the Forest
11 Service, United States Department of Agriculture, in cooper-

1 ation with the Association of State Foresters and The Adver-
2 tising Council for use in animated cartoons and other forms
3 of public information concerning the prevention of forest fires,
4 or any reasonably identifiable facsimile thereof, or the name
5 'Smokey Bear' as a trade name or in such manner as reason-
6 ably suggests the character 'Smokey Bear', shall be fined not
7 more than ~~\$1,000~~ \$250 or imprisoned not more than six
8 months or both, except when such manufacture, reproduction,
9 or use has been authorized, under rules and regulations issued
10 by the Secretary of Agriculture, as being consistent with the
11 public interest: *Provided*, That upon determination, under
12 rules and regulations issued by the Secretary of Agriculture,
13 that any person, because of plans or commitments made prior
14 to the effective date of this Act, would suffer substantial loss
15 if denied such authorization, a special authorization may be
16 issued to such person for a period not to exceed one hundred
17 and eighty days and in no event beyond one year from the
18 effective date hereof: *Provided further*, That such fees as
19 the Secretary of Agriculture may prescribe shall be deposited
20 into a special account to be available for furthering the
21 Nation-wide forest fire prevention campaign."

82ND CONGRESS
2^D SESSION

S. 2322

[Report No. 1128]

A BILL

Prohibiting the manufacture or use of the character "Smokey Bear" by unauthorized persons.

By Mr. RUSSELL and Mr. MARTIN

OCTOBER 19 (legislative day, OCTOBER 1), 1951
Read twice and referred to the Committee on the
Judiciary

JANUARY 28 (legislative day, JANUARY 10), 1952
Reported with amendments

Akimoto, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, solely for the purpose of section 4 (a) and section 9 of the Immigration Act of 1924, as amended, and notwithstanding any provisions excluding from admission to the United States persons of races ineligible to citizenship, Midori Akimoto, also known as Sharlene Akimoto, a minor half-Japanese child, shall be considered the alien natural-born child of Sgt. and Mrs. Cecil C. Walker, citizens of the United States.

CONSTANTIN ALEXANDER SOLOMONIDES

The bill (S. 1566) for the relief of Constantin Alexander Solomonides was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Naturalization laws, Constantin Alexander Solomonides shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

ALEVINA OLSON AND TATIANA SNEJINA

The Senate proceeded to consider the bill (S. 1580) for the relief of Alevina Olson and Tatiana Snejina, which had been reported from the Committee on the Judiciary with an amendment in line 10, after the word "deduct", to strike out "one number" and insert "two numbers", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Naturalization laws, Alevina Olson and Tatiana Snejina shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees and head taxes. Upon the granting of permanent residence to each such alien as provided for in this act, the Secretary of State shall instruct the proper quota officer to deduct two numbers from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SISTER MARIA GASPARETZ

The bill (S. 1697) for the relief of Sister Maria Gasparez was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Naturalization laws, Sister Maria Gasparez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

LESLIE A. CONNELL

The bill (S. 1988) for the relief of Leslie A. Connell, was announced as next in order.

Mr. SCHOEPPPEL. Mr. President, reserving the right to object, may we have an explanation of the bill, with particular reference to the personal negligence phase of the matter? As I understand from a reading of the bill and a checking of the measure, it would seem that the claim could rightfully be classified—and I do not say that I am entirely correct in my understanding—as one involving a question of personal negligence. Therefore, I am wondering to what extent we should go in establishing a precedent in having our Government take care of claims which grow out of acts of personal negligence.

If there are extenuating circumstances or other equities involved I should be glad to have them stated for the Record by the distinguished Senator from Nevada.

Mr. McCARRAN. Mr. President, this bill would pay to Leslie A. Connell, of Tacoma, Wash., a post-office employee, the sum of \$2,622, representing a judgment of \$2,500 and \$122 for court costs, attorney fees, and so forth, paid by him to a pedestrian injured by Connell when hit by a United States mail truck driven by the latter. The person injured originally filed suit against the Government, but dismissed it and recovered judgment against the postal employee.

The Department of Justice and the Post Office Department recommend that the claim be favorably considered because the suit which formed the basis for this claim might have been brought against the United States under the provisions of the Federal Tort Claims Act. However, the plaintiff elected to sue the carrier personally. It would be inequitable to require the carrier to bear this loss out of his personal funds since the claim was predicated upon an accident in which he was involved in pursuance of his official duties as a mail-truck driver. The committee agrees.

The bill was considered by a subcommittee, studied carefully, referred favorably to the full committee, and approved by the full committee.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 1988) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Leslie A. Connell, of Tacoma, Wash., the sum of \$2,622, in full satisfaction of his claim against the United States for reimbursement of (1) the sum of \$2,500 paid by him in satisfaction of a judgment rendered against him as a result of his injuring a pedestrian while driving a Government-owned vehicle in the performance of his duties as a mail collector and (2) the sum of \$122 paid by him for court costs, attorney fees, and filing fees in connection with such judgment: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be

paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

ARTHUR K. PRIOR

The Senate proceeded to consider the bill (S. 2147) for the relief of Arthur K. Prior, which had been reported from the Committee on the Judiciary with amendments on page 1, line 6, after the word "of", to strike out "\$482" and insert "\$520.28"; and in line 10, after the word "Maine", to strike out "Provided, That the said Arthur K. Prior furnish to the Secretary of the Treasury satisfactory assurance that such sum will be paid to John J. Aloes, of Bangor, Maine, in satisfaction of such judgment:", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Arthur K. Prior, of South Orrington, Maine, the sum of \$520.28, representing the amount paid by him in satisfaction of a judgment rendered against him in the Superior Court, Bangor, Maine, for damage caused by him in the course of his employment as an employee of the Post Office Department, Bangor, Maine: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PROHIBITION OF MANUFACTURE OR USE OF THE CHARACTER "SMOKEY BEAR" BY UNAUTHORIZED PERSONS

The Senate proceeded to consider the bill (S. 2322) prohibiting the manufacture or use of the character "Smokey Bear" by unauthorized persons, which had been reported from the Committee on the Judiciary with amendments on page 2, line 7, after the word "than", to strike out "\$1,000" and insert "\$250"; and in line 18, after the word "hereof", to insert a colon and following additional proviso: "Provided further, That such fees as the Secretary of Agriculture may prescribe shall be deposited into a special account to be available for furthering the Nation-wide forest fire prevention campaign", so as to make the bill read:

Be it enacted, etc., That chapter 33 of title 18 of the United States Code be amended by adding a new section to be known as section 711, as follows:

"§ 711. 'Smokey Bear' character or name.

"Whoever knowingly manufactures, reproduces, or uses, for the purposes of trade or as an advertisement to induce the sale of any article whatsoever, or for any other pur-

pose, the character 'Smokey Bear,' originated by the Forest Service, United States Department of Agriculture, in cooperation with the Association of State Foresters and The Advertising Council for use in animated cartoons and other forms of public information concerning the prevention of forest fires, or any reasonably identifiable facsimile thereof, or the name 'Smokey Bear' as a trade name or in such manner as reasonably suggests the character 'Smokey Bear,' shall be fined not more than \$250 or imprisoned not more than 6 months, or both, except when such manufacture, reproduction, or use has been authorized, under rules and regulations issued by the Secretary of Agriculture, as being consistent with the public interest: *Provided*, That upon determination, under rules and regulations issued by the Secretary of Agriculture, that any person, because of plans or commitments made prior to the effective date of this act, would suffer substantial loss if denied such authorization, a special authorization may be issued to such person for a period not to exceed 180 days and in no event beyond 1 year from the effective date hereof: *Provided further*, That such fees as the Secretary of Agriculture may prescribe shall be deposited into a special account to be available for furthering the Nation-wide forest-fire prevention campaign."

The amendments were agreed to.

Mr. LANGER. Mr. President, may we have an explanation of the bill?

Mr. McCARRAN. Mr. President, if the Senator from North Dakota refers to the so-called "Smokey Bear" bill, let me say that the purpose of the bill, as amended, is to prohibit the manufacture or use, for the purposes of trade or as advertisement of the character Smokey Bear, originated by the Forest Service, United States Department of Agriculture. Inasmuch as this character has become so closely identified with national forest fire prevention, the committee feels that this symbol should always be identified with this worthy cause. Misuse of the Smokey Bear character will subject the offender to a \$250 fine or not more than 6 months imprisonment, or both. The bill further provides that the character can be used under rules and regulations issued by the Secretary of Agriculture; and if any fee is charged, such fee shall be used for fire-prevention purposes. The bill also allows the Secretary of Agriculture to give any person a special authorization for not to exceed 180 days, and in no event not for more than 1 year from the effective date of this act, to be exempt for that period of time if because of plans or commitments made prior to enactment of the bill, he would suffer a substantial loss.

The committee considers the bill to be meritorious, and recommends it for favorable consideration by the Senate.

Mr. LANGER. Mr. President, I thank the distinguished Senator from Nevada, and I have no objection.

The VICE PRESIDENT. The question is on the engrossment and third reading of the bill.

The bill (S. 2322) was ordered to be engrossed for a third reading, read the third time, and passed.

CINDY EBERHARDT

The bill (H. R. 800) for the relief of Cindy Eberhardt was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF LAW FIRM OF HARRINGTON & GRAHAM

The bill (H. R. 2672) for the relief of the law firm of Harrington & Graham was considered, ordered to a third reading, read the third time, and passed.

LOUIS CAMPBELL BOYD

The bill (H. R. 3569) for the relief of Louis Campbell Boyd was considered, ordered to a third reading, read the third time, and passed.

MRS. MARGHERITA CAROLI

The bill (H. R. 4877) for the relief of Mrs. Margherita Caroli was considered, ordered to a third reading, read the third time, and passed.

JURISDICTION OF CLAIM OF ROBERT E. VIGUS

The bill (H. R. 3219) to confer jurisdiction upon the United States district Court for the Northern District of Texas to hear, determine, and render judgment upon the claim of Robert E. Vigus, was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, reserving the right to object, will the distinguished Senator from Nevada tell us whether the amendment transfers jurisdiction from the United States district court to the State employees' compensation commission? Is that the purpose of the amendment?

Mr. McCARRAN. I might say that the amendment could have that effect.

This claimant, a 35-year-old veteran of World War II, was permanently and totally disabled while employed in a civilian status with the Army in Japan. The disability was caused by the admitted negligence of nonprofessional Army personnel during the course of a routine medical treatment.

The claimant has been held to be not entitled to the benefits of the Employees' Compensation Act because in a very technical sense, not being paid from appropriated funds, he is not a Government employee, although employed and paid by the Army.

The Army recommended that he be paid an outright sum of \$25,000. The House of Representatives thought the measure of damages should be determined by a court. The Senate committee, while agreeing in principle with the latter solution, thought the problem of what law of negligence to apply in such a suit was insurmountable, and concluded that the machinery provided under the Employees' Compensation Act would provide a fair, equitable, and complete method of compensating this individual for his injuries. The committee intends that the benefits conferred on him by this act will be fully retroactive to the date of the accident, which occurred on June 2, 1950.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Nevada yield to me?

Mr. McCARRAN. I yield.

Mr. JOHNSON of Texas. Since the Department of the Army has acknowledged blame for the accident to Mr. Vi-

gus, I assume that if this bill is passed, the Employees' Compensation Commission will lose no time in acting on the claim. Is that the view of the chairman of the committee?

Mr. McCARRAN. It would be more prompt in acting than if the case were in the courts.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 3219), which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That for the purposes of the administration of the United States Employees' Compensation Act of September 7, 1916 (39 Stat. 742; 5 U. S. C. 751), as amended, Robert E. Vigus, of Wichita Falls, Tex., shall be held and considered to have been an employee of the United States on the second day of June 1950 within the meaning of section 40 of that act.

SEC. 2. Claim for compensation under this act may be filed at any time within 1 year after date of enactment of this act.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act for the relief of Robert E. Vigus."

MRS. MARGUERITE A. BRUMELL

The bill (H. R. 4645) for the relief of Mrs. Marguerite A. Brumell was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. SCHOEPPPEL. Mr. President, reserving the right to object, let me say that my understanding is that the claimant was a stenographer with the Army Quartermaster Corps at Fort Greely. On the evening of March 29, 1944, she attended a dance at the Sergeants' Club. At about 12:45 a. m., Sergeant Crawford and two other soldiers started to take claimant to her quarters; and while driving through a snowstorm, went on to an airfield runway. Discovering his mistake, he turned back; but before finding the road, the vehicle ran off the runway and over an embankment, turning over on its side, and causing the injuries herein complained of, and for which compensation is sought to be obtained.

Let me say to the distinguished Senator from Nevada that in connection with some of these cases, I believe, so far as I am concerned, that there should be placed in the Record a statement of a line of demarcation as between cases which have strictly a negligence feature in connection with the enforcement of some official duty or under responsible assignment and cases which do not have that feature. In other words, we should be able to determine how far we are to go in allowing these claims, which come in by the thousands, are strictly outside the field of official duty, and, if acted

"SMOKEY BEAR"

MARCH 12, 1952.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. LANE, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 5790]

The Committee on the Judiciary, to whom was referred the bill (H. R. 5790) to amend chapter 33 of title 18 of the United States Code by adding a new section to be known as section 711, having considered the same, report favorably thereon with amendments and recommend that the bill, as amended, do pass.

The amendments are as follows:

Strike out lines 7 through 11 on page 1, and all on page 2, and insert in lieu thereof:

"Whoever, except as authorized under rules and regulations issued by the Secretary of Agriculture after consultation with the Association of State Foresters and The Advertising Council, knowingly manufactures, reproduces, or uses the character 'Smokey Bear,' originated by the Forest Service, United States Department of Agriculture, in cooperation with the Association of State Foresters and The Advertising Council for use in public information concerning the prevention of forest fires, or any facsimile thereof, or the name 'Smokey Bear' as a trade name or in such manner as suggests the character 'Smokey Bear' shall be fined not more than \$250 or imprisoned not more than six months, or both.

"The Secretary of Agriculture may specially authorize the manufacture, reproduction or use of the character 'Smokey Bear' for a period not to exceed one hundred and eighty days, expiring no later than one year after the enactment hereof, by any person who, because of plans or commitments made prior to the enactment of this Act, would suffer substantial loss if denied such authorization."

SEC. 2. The analysis of chapter 33 immediately preceding section 701 of title 18 is amended by adding at the end thereof:

"§711. 'Smokey Bear' character or name".

SEC. 3. The Secretary of Agriculture shall deposit into a special account to be available for furthering the Nation-wide forest fire prevention campaign all fees collected under regulations promulgated by him relating to "Smokey Bear" under the provisions of section 711 of title 18.

EXPLANATION OF AMENDMENTS

The committee amendments are largely formal, with one or two minor substantive changes which are explained hereafter.

The amendments to proposed section 711 of title 18, United States Code, consist of a rearrangement of phraseology and the elimination of unnecessary words. For example, the words "animated cartoons or other forms of" were deleted as covered by the general words "public information" which followed. Similarly, the words "reasonably identifiable" preceding the word "facsimile" were deleted as unnecessary.

The clause "after consultation with the Association of State Foresters and the Advertising Council" was inserted to give legislative recognition to the cooperation of these organizations with the Department of Agriculture in this important work. The words will not limit the authority of the Secretary of Agriculture to issue necessary rules and regulations.

The amount of the fine which may be imposed is reduced from \$1,000 to \$250 as more appropriate to the offense involved, and as recommended by the Department of Justice.

Section 2 is new and constitutes merely a necessary clerical amendment to title 18, United States Code.

Section 3 is new and is added to make provision for the deposit of fees collected and to make such fees available to further the campaign for forest-fire prevention.

PURPOSE

The purpose of the proposed legislation, as amended, is to prohibit the manufacture or use for the purposes of trade or as an advertisement to induce the sale of any article whatsoever, or for any other purpose, the character "Smokey Bear" originated by the Forest Service, United States Department of Agriculture, for use in animated cartoons and other forms of public information concerning the prevention of forest fires.

The bill, as amended, further provides that there shall be a fine of not more than \$250 or imprisonment for not more than 6 months, or both, for a violation thereof, except when such manufacture, reproduction, or use has been authorized under rules and regulations issued by the Secretary of Agriculture.

The bill further provides that upon a determination by the Secretary of Agriculture any person who, because of plans or commitments made prior to the effective date of this act, would suffer substantial loss if denied such authorization, may be issued a special authorization not to exceed 180 days and in no event beyond 1 year from the effective date hereof.

STATEMENT

"Smokey Bear" is a caricature developed for forest-fire-prevention purposes, and is the Nation-wide symbol for forest-fire prevention developed by the Forest Service in cooperation with the Association of State Foresters and the Advertising Council. Because the "Smokey Bear" character and name are in the public domain, legislation appears necessary to prevent its use in ways which would be detrimental to forest-fire-prevention objectives. The report of the Department of

Agriculture pertaining to this bill states that it is intended to issue licenses and enter into cooperative arrangements providing for commercial manufacture and sale of articles using the character and name if consistent with the public interest, as determined by the Secretary of Agriculture. Also necessary stipulations and limitations would be imposed in particular cases. Furthermore, the Department would continue to encourage the noncommercial use of the "Smokey Bear" character or name by conservation organizations and others for forest-fire prevention. This symbol of forest-fire prevention has such popularity and appeal that it is proving attractive for uses other than forest-fire prevention. Legislation such as H. R. 5790 is necessary to prevent irrelevant use of "Smokey Bear," maintain its identity with forest-fire prevention, and protect the large advertising value which the Federal and State fire-control agencies and the Advertising Council have built up in this symbol.

The report of the Department of Agriculture further stated that forest fires take a heavy toll of one of our most vital natural resources. Nation-wide, 9 out of every 10 forest fires are man-caused and therefore should be preventable. For many years Federal and State forestry agencies struggled alone in the tremendous task of creating Nation-wide public awareness of the need for preventing forest fires. Progress in this direction was slow until about 10 years ago when the Advertising Council, a nonprofit organization representing American business, agreed to assist this Department and the State foresters in a coordinated Nation-wide cooperative forest-fire prevention campaign. The advertising space and time contributed by American business in support of this campaign is estimated to be worth more than \$5,000,000 a year.

Early in this campaign the need for some easily identified character or symbol to represent forest-fire prevention became evident. It was thought that an animal character might best serve this purpose and after several trials a bear was selected. A hat, shovel, blue jeans, and a belt bearing the name "Smokey" were added. This now familiar figure is becoming increasingly well known to millions of people. "Smokey Bear" appears on forest-fire prevention posters, on cards in buses and streetcars, on the radio, television, and in motion pictures.

No appropriation, nor any authorization for an appropriation, is involved in H. R. 5790. One committee has studied with interest this proposed legislation and the history behind its introduction, and feels that the bill is extremely meritorious. "Smokey Bear" has become synonymous over the Nation with fire prevention, which certainly needs the consideration and attention of all the citizens who have contact with the forests of this country. The committee is of the opinion that nothing should be allowed to be done which would, in effect, in any way minimize the identity of "Smokey Bear" with forest-fire prevention, and the committee believes that to this end the passage of the proposed legislation is warranted and it recommends, therefore, that H. R. 5790, as amended, be considered favorably.

Attached hereto and made a part hereof are the following letters from the Secretary of Agriculture and the Department of Justice:

DEPARTMENT OF AGRICULTURE,
Washington, January 8, 1952.

HON. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives

DEAR MR. CELLER: This is in reply to your request received November 9 for a report on H. R. 5790 and H. R. 5820 to amend title 18 of the United States Code to prohibit the unauthorized use of the name or character "Smokey Bear."

H. R. 5790 and H. R. 5820 are similar bills differing only slightly as to form and not at all as to substance. H. R. 5790 is identical with S. 2322 also introduced in the first session of the Eighty-second Congress.

These bills would subject to fine or imprisonment or both whoever manufactures, reproduces, or uses for any purpose the character "Smokey Bear" or the name "Smokey Bear" as a trade name unless such use has been authorized by the Secretary of Agriculture as consistent with the public interest.

The purpose of these bills is to protect the public interest in "Smokey Bear," which is the Nation-wide symbol for forest-fire prevention developed by the Forest Service in cooperation with the Association of State Foresters, and the Advertising Council. Because the "Smokey Bear" character and name are in the public domain, the legislation is necessary to prevent its use in ways which would be detrimental to forest-fire-prevention objectives.

It is intended to issue licenses and enter into cooperative arrangements providing for commercial manufacture and sale of articles using the character and name if consistent with the public interest as determined by the Secretary of Agriculture. Also necessary stipulations and limitations would be imposed in particular cases. Furthermore, the Department would continue to encourage the noncommercial use of the "Smokey Bear" character or name by conservation organizations and others for forest-fire prevention.

No appropriation or authorization for appropriation is involved in these bills.

Smokey Bear is a caricature developed for forest-fire-prevention purposes and has several distinct features as indicated on the enclosed samples of forest-fire-prevention material. This symbol of forest-fire prevention has such popularity and appeal that it is proving attractive for uses other than forest-fire prevention. Legislation such as H. R. 5790 is necessary to prevent irrelevant use of Smokey Bear, maintain its identity with forest-fire prevention, and protect the large advertising value which the Federal and State fire-control agencies and The Advertising Council have built up in this symbol.

Forest fires take a heavy toll of one of our most vital natural resources. Nation-wide, 9 out of every 10 forest fires are man-caused and therefore should be preventable. For many years Federal and State forestry agencies struggled alone in the tremendous task of creating Nation-wide public awareness of the need for preventing forest fires. Progress in this direction was slow until about 10 years ago when the Advertising Council, a nonprofit organization representing American business, agreed to assist this Department and the State foresters in a coordinated Nation-wide cooperative forest-fire prevention campaign. The advertising space and time contributed by American business in support of this campaign is estimated to be worth more than \$5 million a year.

Early in this campaign, the need for some easily identified character or symbol to represent forest-fire prevention became evident. It was thought that an animal character might best serve this purpose and after several trials a bear was selected. A hat, shovel, blue jeans, and a belt bearing the name "Smokey" were added. This now familiar figure is becoming increasingly well known to millions of people. Smokey Bear appears on forest-fire-prevention posters, on car cards in busses and streetcars, on the radio, television, and in motion pictures. To many people Smokey Bear and forest-fire prevention are synonymous.

This Department strongly recommends enactment of the proposed legislation and believes it is urgently needed to protect the public's interest in the Smokey Bear character and name. The proposed legislation has the endorsement of both the Association of State Foresters and the Advertising Council. Since H. R. 5790 is identical with S. 2322 it is recommended that H. R. 5790 be enacted.

The Bureau of the Budget advises that, from the standpoint of the program of the President, there is no objection to the submission of this report.

Sincerely yours,

CHARLES F. BRANNAN, *Secretary.*

DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, January 5, 1952.

Hon. PAT McCARRAN,
*Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.*

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice relative to the bill (S. 2322) prohibiting the manufacture or use of the character "Smokey Bear" by unauthorized persons.

This bill would amend chapter 33 of title 18, United States Code, by the addition of a new section to be designated "§ 711. 'Smokey Bear' character or name." The proposed section 711 would prohibit the manufacture, reproduction, or use of the character or name "Smokey Bear" (adopted by the United States Forest Service for use in disseminating information for the prevention of forest fires), or any reasonably identifiable facsimile thereof, for the purpose of trade or as an advertisement to induce the sale of any article whatsoever, or for any other purpose, except when authorized, under rules and regulations issued by the Secretary of Agriculture, as being consistent with the public interests. The section would provide further that upon determination, under such rules and regulations, that any person, because of prior plans or commitments, would suffer substantial loss if denied such authorization, a special authorization may be issued for a period not to exceed 180 days, but in no event beyond 1 year from the effective date of the enactment of this legislation. A fine of not more than \$1,000 or imprisonment for not more than 6 months, or both, would be authorized for violations of the section.

Whether or not this bill should be enacted involves a question of policy concerning which the Department of Justice prefers not to make any recommendation.

The committee may wish to consider, however, whether the fine which the bill would provide is excessive in view of the fact that legislation of a similar nature, such as sections 705, 706, and 707 of title 18, provides for a maximum fine of \$250.

The Director of the Bureau of the Budget has advised that there is no objection to the submission of this report.

Sincerely,

A. DEVITT VANECH,
Deputy Attorney General.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

§711. "Smokey Bear" character or name

Whoever knowingly manufactures, reproduces or uses, for the purposes of trade or as an advertisement to induce the sale of any article whatsoever, or for any other purpose, the character "Smokey Bear," originated by the Forest Service, United States Department of Agriculture, in cooperation with the Association of State Foresters and The Advertising Council for use in animated cartoons and other forms of public information concerning the prevention of forest fires, or any reasonably identifiable facsimile thereof, or the name "Smokey Bear" as a trade name or in such manner as reasonably suggests the character "Smokey Bear," shall be fined not more than \$1,000 or imprisoned not more than six months or both, except when such manufacture, reproduction, or use has been authorized, under rules and regulations issued by the Secretary of Agriculture, as being consistent with the public interests: Provided, That upon determination, under rules and regulations issued by the Secretary of Agriculture, that any person, because of plans or commitments made prior to the effective date of this Act, would suffer substantial loss if denied such authorization, a special authorization may be issued to such person for a period not to exceed one hundred and eighty days and in no event beyond one year from the effective date hereof.

COMMITTEE AMENDMENT

Whoever, except as authorized under rules and regulations issued by the Secretary of Agriculture after consultation with the Association of State Foresters and The Advertising Council, knowingly manufactures, reproduces, or uses the character "Smokey Bear," originated by the Forest Service, United States Department of Agriculture, in cooperation with the Association of State Foresters and The Advertising Council for use in public information concerning the prevention of forest fires, or any facsimile thereof, or the name "Smokey Bear" as a trade name or in such manner as suggests the character "Smokey Bear" shall be fined not more than \$250 or imprisoned not more than six months, or both.

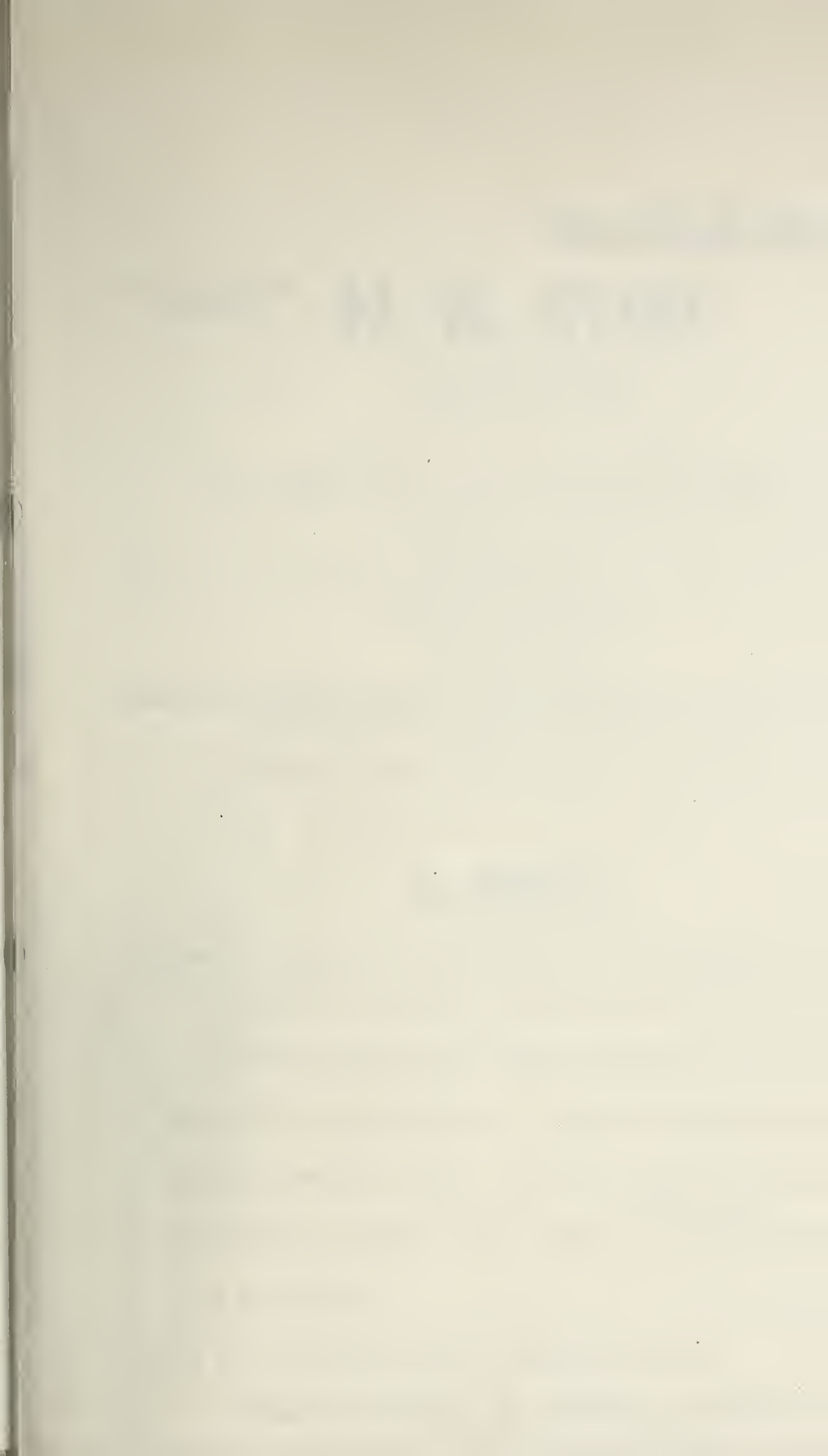
The Secretary of Agriculture may specially authorize the manufacture, reproduction, or use of the character "Smokey Bear" for a period not to exceed one hundred and eighty days, expiring no later than one year after the enactment hereof, by any person who, because of plans or commitments made prior to the enactment of this Act, would suffer substantial loss if denied such authorization.

SEC. 2. The analysis of chapter 33 immediately preceding section 701 of title 18 is amended by adding at the end thereof:

"§711 'Smokey Bear' character or name".

SEC. 3. The Secretary of Agriculture shall deposit into a special account to be available for furthering the Nation-wide forest fire prevention campaign all fees collected under regulations promulgated by him relating to "Smokey Bear" under the provisions of section 711 of title 18.





Union Calendar No. 478

82D CONGRESS
2D SESSION

H. R. 5790

[Report No. 1512]

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 18, 1951

Mr. LIND introduced the following bill; which was referred to the Committee on the Judiciary

MARCH 12, 1952

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

A BILL

To amend chapter 33 of title 18 of the United States Code by adding a new section to be known as section 711.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That chapter 33 of title 18 of the United States Code be
4 amended by adding a new section to be known as section
5 711, as follows:

6 “§ 711. ‘Smokey Bear’ character or name

7 ~~“Whoever knowingly manufactures, reproduces, or uses,~~
8 ~~for the purposes of trade or as an advertisement to induce the~~
9 ~~sale of any article whatsoever, or for any other purpose, the~~
10 character ‘Smokey Bear’, originated by the Forest Service,

1 United States Department of Agriculture, in cooperation with
2 the Association of State Foresters and the Advertising Coun-
3 cil for use in animated cartoons and other forms of public
4 information concerning the prevention of forest fires, or any
5 reasonably identifiable facsimile thereof, or the name 'Smokey
6 Bear' as a trade name or in such manner as reasonably sug-
7 gests the character 'Smokey Bear', shall be fined not more
8 than \$1,000 or imprisoned not more than six months or both,
9 except when such manufacture, reproduction, or use has
10 been authorized, under rules and regulations issued by the
11 Secretary of Agriculture, as being consistent with the public
12 interests: *Provided*, That upon determination, under rules
13 and regulations issued by the Secretary of Agriculture, that
14 any person because of plans or commitments made prior to
15 the effective date of this Act, would suffer substantial loss if
16 denied such authorization a special authorization may be
17 issued to such person for a period not to exceed one hundred
18 and eighty days and in no event beyond one year from the
19 effective date hereof."

20 "Whoever, except as authorized under rules and regula-
21 tions issued by the Secretary of Agriculture after consultation
22 with the Association of State Foresters and the Advertising
23 Council, knowingly manufactures, reproduces, or uses the
24 character 'Smokey Bear', originated by the Forest Service,
25 United States Department of Agriculture, in cooperation

1 *with the Association of State Foresters and the Advertising*
 2 *Council for use in public information concerning the pre-*
 3 *vention of forest fires, or any facsimile thereof, or the name*
 4 *'Smokey Bear' as a trade name or in such manner as sug-*
 5 *gests the character 'Smokey Bear' shall be fined not more than*
 6 *\$250 or imprisoned not more than six months, or both.*

7 *"The Secretary of Agriculture may specially authorize*
 8 *the manufacture, reproduction, or use of the character*
 9 *'Smokey Bear' for a period not to exceed one hundred and*
 10 *eighty days, expiring no later than one year after the enact-*
 11 *ment hereof, by any person who, because of plans or commit-*
 12 *ments made prior to the enactment of this Act, would suffer*
 13 *substantial loss if denied such authorization."*

14 *SEC. 2. The analysis of chapter 33 immediately preced-*
 15 *ing section 701 of title 18 is amended by adding at the end*
 16 *thereof:*

"Sec. 711. 'Smokey Bear' character or name."

17 *SEC. 3. The Secretary of Agriculture shall deposit into*
 18 *a special account to be available for furthering the nation-*
 19 *wide forest-fire prevention campaign all fees collected under*
 20 *regulations promulgated by him relating to "Smokey Bear"*
 21 *under the provisions of section 711 of title 18.*

82ND CONGRESS
2ND Session

H. R. 5790

[Report No. 1512]

A BILL

To amend chapter 33 of title 18 of the United States Code by adding a new section to be known as section 711.

By Mr. LIND

OCTOBER 18, 1951

Referred to the Committee on the Judiciary

MARCH 12, 1952

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

"SEC. 2. The analysis of chapter 33 immediately preceding section 701 of title 18 is amended by adding at the end thereof:

"SEC. 711. "Smokey Bear" character or name."

"SEC. 3. The Secretary of Agriculture shall deposit into a special account to be available for furthering the Nation-wide forest-fire-prevention campaign all fees collected under regulations promulgated by him relating to 'Smokey Bear' under the provisions of section 711 of title 18."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The proceedings by which the bill H. R. 5790 was passed were vacated and that bill laid on the table.

PAYMENT OF PERIODIC PAY INCREASES FOR TEMPORARY INDEFINITE EMPLOYEES

The Clerk called the next bill (H. R. 6154) to authorize and validate payments of periodic pay increases for temporary indefinite employees of the Department of the Navy within the period of March 17, 1947, to July 1, 1948.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent to substitute the bill S. 2266, an identical bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That (a) all persons who were awarded administrative pay increases as temporary indefinite ungraded employees of the Department of the Navy within the period March 17, 1947, to July 1, 1948, through administrative error, are hereby relieved of all liability to repay to the United States the amounts of such unauthorized pay increases.

(b) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the persons described in subsection (a) such amounts as have been paid by them, or deducted from their salaries, on account of overpayments of compensation occasioned by such unauthorized pay increases.

(c) All disbursing officers, or other responsible officers, who made or authorized the pay increases to the persons described in subsection (a) are relieved of all liability for any such overpayments and their accounts shall be credited with the amounts erroneously overpaid.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 6154) was laid on the table.

ECONOMICAL PRODUCTION FROM SEA OR OTHER SALINE WATERS

The Clerk called the next bill (H. R. 6578) to provide for research into and demonstration of practical means for the economical production, from sea or other saline waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AUTHORITY TO LEASE QUARTERS FOR POST-OFFICE PURPOSES

The Clerk called the next bill (H. R. 6839) to modify and extend the authority of the Postmaster General to lease quarters for post-office purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MURRAY of Tennessee. Mr. Speaker, there has been a rule granted on this bill and I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. MURRAY]?

There was no objection.

AMENDING SECTION 2113 OF TITLE 18 OF THE UNITED STATES CODE

The Clerk called the next bill (S. 1212) to amend section 2113 of title 18 of the United States Code.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subsection (g) of section 2113 of title 18 of the United States Code is amended to read as follows:

"(g) As used in this section, the term 'savings and loan association' means any Federal savings and loan association and any 'insured institution' as defined in section 401 of the National Housing Act, as amended."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT TO SECTION 5192 OF THE REVISED STATUTES

The Clerk called the next bill (H. R. 160) to amend section 5192 of the Revised Statutes, with respect to the reserves of certain national banks.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES. Mr. Speaker, reserving the right to object, I wonder if somebody present can advise why there are no departmental reports included with the committee report on this legislation. I notice not only on this bill but on a number of bills on this calendar from the Committee on Banking and Currency that departmental reports have not been filed. It is almost impossible for members of the objectors' committee to properly go over this legislation without a full and complete report from the committee, which includes departmental reports, if there are such, or an explanation why there is no departmental report included in the committee report.

Mr. SPENCE. We have never put departmental reports in the committee report. The Treasury and Federal Reserve Board are not opposed to this bill.

Mr. BYRNES. I believe the gentleman must be familiar with certain requests of the objectors which were contained in a

letter to the Speaker on April 2 of last year and also a copy of which was sent to all committee chairmen. This letter called attention to the desire of the objectors that the departmental reports be included in the committee report for use in studying the legislation.

I ask unanimous consent that this bill go over without prejudice.

The SPEAKER. Is there objection? Mr. SPENCE. Mr. Speaker, this bill was passed by the House last Congress. It involves a direction by law to require the banks in Alaska to retain a certain amount of their reserves in their tills in order to meet the necessities of everyday banking. Such banks are required to maintain a reserve of 15 percent. Forty percent of that fifteen percent is required to be retained in the tills. This bill would reduce that amount to 20 percent. When the original requirement was made Alaska was remote and somewhat inaccessible. Now by reason of improved means of transportation it is not necessary to require that much as a reserve in cash in the banks to meet the everyday needs. There is no objection to this bill. The Treasury Department has said it would not object if it was left entirely to the discretion of the banks.

Mr. BYRNES. Will the gentleman answer this question: Has the Treasury Department filed a report with your committee on this bill?

Mr. SPENCE. Yes; it has, and it favors it.

Mr. BYRNES. Is it a favorable report?

Mr. SPENCE. Yes; it is a favorable report.

Mr. BYRNES. What about the Federal Reserve?

Mr. SPENCE. They have filed a report. Both reports are favorable. We can submit them to the committee.

Mr. BYRNES. Since there are departmental reports and they are favorable, I will withdraw my request that the bill go over; but I would like, Mr. Speaker, to serve notice on the chairman that the objectors' committee still has the rule that departmental reports be printed with the committee report.

Mr. SPENCE. We shall be very glad to have that done in the future. We have them; they are available, and they are accessible to the committee if they want to investigate them.

Mr. BYRNES. It is the gentleman's committee that is putting these matters on the Consent Calendar; I am not.

I yield to the gentleman from Michigan [Mr. Wolcott].

Mr. WOLCOTT. I may say to the gentleman that I agree with the official objectors generally it might be advisable to have departmental reports. I have been on the Committee on Banking and Currency now for almost 20 years and we have deliberated on this problem repeatedly, and we have come to the conclusion that the Congress of the United States has a duty distinct and apart from the executive department; that we are competent to judge from the hearings and evaluate the testimony to determine whether a bill is desirable or not desirable.

During the Eightieth Congress we established the very definite practice of not asking departments for opinions. Because of my 10 years on the Consent Calendar I came to the conclusion that the departmental opinions made a part of the report were used repeatedly to determine only whether the administration might be for or against a particular bill; and it was done by a simple paragraph or sentence at the end of each of the letters in which it said that this bill either is or is not in conformity with the financial program of the President.

For 10 years I tried repeatedly to determine on each of these bills as it came up what the financial program of the President in that respect might be. I never got a satisfactory answer. I dare say that the official objectors now find it as difficult to determine the President's financial program as it applies to any particular bill, as their predecessors did. That is the reason why, in keeping with the independence of the Congress, an integrated part of this Federal establishment, we have not seen fit to ask the departments for reports as is done frequently in matters of claims and so forth, which probably is justified. But the testimony is always taken and the committee has an opportunity to discuss the merits of the bill with the heads of the departments as was done in this case. We feel that Congress might better use its own judgment than to rely on some subaltern in some department.

Mr. BYRNES. I can understand the reason behind the gentleman's position. However, he must recognize that this is not the regular course. What we are doing here is considering bills on the Consent Calendar. I agree with the gentleman that we should not be bound in our regular course of letting the departments determine the course of legislation. But when bills receive such cursory study as must be the case when they are considered on the Consent Calendar, I think all the information we can get is absolutely necessary.

We have a lot of confidence in the judgment of the gentleman from Michigan. If he would submit in the committee report a statement of his position on the legislation, I would consider that information more valuable than a departmental report.

Mr. WOLCOTT. My opinion might be even more biased than that of the department. I do not think because of the cursory nature of the consideration of these bills that the official objectors should make up their opinions upon the statement of some subaltern down in a department.

Mr. BYRNES. That is not necessarily done.

Mr. WOLCOTT. If that is part of the report then, of course, much greater weight is given to that part of the report than to the hearings. For that reason, I think it overbalances the position if we should report out a bill, as is frequently done, which does not meet with administration approval. For instance, there is a controversy between the Federal Reserve and the Treasury. I think we will have to settle that. If we leave it to the President to settle I dare say

he would say it was not in keeping with the financial program of the President.

Mr. BYRNES. Mr. Speaker, I understand the gentleman's position and I agree with him to a certain extent. I do want to add that the committee has determined upon a policy and until the committee changes that policy I think we should stick with it regardless of what the gentleman says.

Mr. WOLCOTT. The Committee on Banking and Currency has adopted a policy of not submitting these things to the departments. We have the departments come up and talk to us.

Mr. CUNNINGHAM. Mr. Speaker, further reserving the right to object, I would like to say to the gentleman from Michigan that the objectors on the Consent Calendar committee have to be guided solely by the reports of the committee that considers bills as to whether or not it recommends favorable action or not. If this is not so we should abolish the objectors.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 5192 of the Revised Statutes of the United States, as amended (12 U. S. C. 144), is hereby amended to read as follows:

"Sec. 5192. Four-fifths of the reserve of 15 percent which a national bank located in Alaska or in a dependency or insular possession or any part of the United States outside of the continental United States, and not a member of the Federal Reserve System, is required to keep, may consist of balances due such bank from associations approved by the Comptroller of the Currency and located in any one of the central reserve or reserve cities as now or hereafter defined by law or designated by the Board of Governors of the Federal Reserve System."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT TO SECTION 5136 OF THE REVISED STATUTES

The Clerk called the bill (S. 2085) to further amend section 5136 of the Revised Statutes, as amended, with respect to underwriting and dealing in securities issued by the Central Bank for Cooperatives.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, I would like to ask the chairman of the Committee on Banking and Currency whether the committee his any statement from the department in reference to this legislation?

Mr. SPENCE. Yes, we have. The department is in favor of this legislation. I will say to the gentleman that all of these bills were reported unanimously by the committee. The committee is not averse to any rules the House may make in the future and we are perfectly willing to file reports of the agencies and departments affected by the legislation.

Mr. FORD. May I ask the Chairman of the Committee on Banking and Cur-

rency whether favorable reports from the departments affected have been received by the committee on the other bills which the Committee on Banking and Currency has put on the Consent Calendar?

Mr. SPENCE. On all of them. They were unanimously reported by the committee.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the last sentence of paragraph seventh of section 5136 of the Revised Statutes, as amended (12 U. S. C. 24), is hereby amended by inserting "or the Central Bank for Cooperatives" after the word "Development"; by inserting "either of said banks" in lieu of the words "said bank"; by inserting "at any one time" after the words "no association shall"; by deleting "at any one time" after the word "exceeding"; and by inserting ", with respect to each issuer," after the word "amount"; so that said sentence shall read as follows: "The limitations and restriction herein contained as to dealing in and underwriting investment securities shall not apply to obligations issued by the International Bank for Reconstruction and Development or the Central Bank for Cooperatives which are at the time eligible for purchase by a national bank for its own account: *Provided*, That no association shall at any one time hold obligations issued by either of said banks as a result of underwriting, dealing, or purchasing for its own account (and for this purpose obligations as to which it is under commitment shall be deemed to be held by it) in a total amount, with respect to each issuer, exceeding 10 percent of its capital stock actually paid in and unimpaired and 10 percent of its unimpaired surplus fund."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INVESTMENT OF FUNDS OF FEDERAL CREDIT UNIONS

The Clerk called the bill (H. R. 2608) to amend the Federal Credit Union Act.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subsection (d) of section 7 of the Federal Credit Union Act, as amended (12 U. S. C. 1757), be amended to read as follows: "or in shares or accounts of Federal savings and loan associations and in shares or accounts of any State chartered institution, the accounts of which are insured by the Federal Savings and Loan Insurance Corporation."

With the following committee amendments:

Page 1, line 3, strike out "subsection (d)" and insert "paragraph 7 (d)."

Page 1, line 7, strike out "State chartered" and insert "other."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING TITLE IV OF THE NATIONAL HOUSING ACT, AS AMENDED

The Clerk called the bill (H. R. 3177) to amend title IV of the National Housing Act, as amended.

the Secretary of the Interior is hereby, authorized to proclaim such lands as an addition to the Stockbridge-Munsee Reservation, and may, in his discretion, with the consent of the governing body of the Stockbridge-Munsee Community, Inc., make such allotments as deemed advisable.

SEC. 2. Any proceeds from rents and sales heretofore or hereafter received from such land shall be available to the community for use and expenditure in accordance with the charter and the constitution of such community.

With the following committee amendments:

Page 2, line 5, strike out the following: "the Secretary of the Interior" and insert in lieu thereof the following: "such lands are hereby declared to be."

Page 2, line 6, strike out the following: "is hereby authorized to proclaim such lands as."

Page 2, line 7, strike out the comma following the word "Reservation" and insert a period in lieu thereof. Strike the remainder of the line.

Page 2, lines 8, 9, and 10, strike out all the language in these lines.

Page 2, line 11, after the word "sales," insert the following: "of personal property."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

POSTAL REGULATIONS ON PACKAGES FOR THE BLIND

The Clerk called the bill (H. R. 6383) to restore to 70 pounds and 100 inches in girth and length combined the maximum weight and size limitations for appliances, or parts thereof, for the blind sent through the mails.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent to substitute the bill S. 2677, an identical bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, in the case of reproducers for sound-reproduction records for the blind, or parts thereof, and of Braille writers and other appliances for the blind, or parts thereof, when mailed under the provisions of the fourth and fifth paragraphs of the act of October 14, 1941, as amended (Public Law 270, 77th Cong.; 39 U. S. C., sec. 381), the maximum limit in weight shall be 70 pounds and the maximum limit of size shall be 100 inches in girth and length combined.

SEC. 2. This act shall take effect 10 days after the date of its enactment.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 6383) was laid on the table.

SMOKEY BEAR

A similar House bill (H. R. 6383) was laid on the table.

The Clerk called the bill (H. R. 5790) to amend chapter 33 of title 18 of the United States Code by adding a new section to be known as section 711.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That chapter 33 of title 18 of the United States Code be amended by adding a new section to be known as section 711, as follows:

"§ 711. 'Smokey Bear' character or name.

"Whoever knowingly manufactures, reproduces, or uses, for the purposes of trade or as an advertisement to induce the sale of any article whatsoever, or for any other purpose, the character 'Smokey Bear,' originated by the Forest Service, United States Department of Agriculture, in cooperation with the Association of State Foresters and the Advertising Council for use in animated cartoons and other forms of public information concerning the prevention of forest fires, or any reasonably identifiable facsimile thereof, or the name 'Smokey Bear' as a trade name or in such manner as reasonably suggests the character 'Smokey Bear,' shall be fined not more than \$1,000 or imprisoned not more than 6 months or both, except when such manufacture, reproduction, or use has been authorized, under rules and regulations issued by the Secretary of Agriculture, as being consistent with the public interests: *Provided*, That upon determination, under rules and regulations issued by the Secretary of Agriculture, that any person because of plans or commitments made prior to the effective date of this act, would suffer substantial loss if denied such authorization a special authorization may be issued to such person for a period not to exceed 180 days and in no event beyond 1 year from the effective date hereof."

With the following committee amendment:

Strike out lines 7 through 11 on page 1, and all on page 2, and insert in lieu thereof:

"Whoever, except as authorized under rules and regulations issued by the Secretary of Agriculture after consultation with the Association of State Foresters and the Advertising Council, knowingly manufactures, reproduces, or uses the character 'Smokey Bear,' originated by the Forest Service, United States Department of Agriculture, in cooperation with the Association of State Foresters and the Advertising Council for use in public information concerning the prevention of forest fires, or any facsimile thereof, or the name 'Smokey Bear' as a trade name or in such manner as suggests the character 'Smokey Bear' shall be fined not more than \$250 or imprisoned not more than 6 months, or both.

"The Secretary of Agriculture may specially authorize the manufacture, reproduction or use of the character 'Smokey Bear' for a period not to exceed 180 days, expiring no later than 1 year after the enactment hereof, by any person who, because of plans or commitments made prior to the enactment of this act, would suffer substantial loss if denied such authorization."

"SEC. 2. The analysis of chapter 33 immediately preceding section 701 of title 18 is amended by adding at the end thereof:

"§ 711. 'Smokey Bear' character or name'.

"SEC. 3. The Secretary of Agriculture shall deposit into a special account to be available for furthering the Nation-wide forest fire prevention campaign all fees collected under regulations promulgated by him relating to 'Smokey Bear' under the provisions of section 711 of title 18."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. LANE. Mr. Speaker, I ask unanimous consent for the immediate consid-

eration of the bill (S. 2322) prohibiting the manufacture or use of the character "Smokey Bear" by unauthorized persons.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That chapter 33 of title 18 of the United States Code be amended by adding a new section to be known as section 711, as follows:

"SEC. 711. 'Smokey Bear' character or name.

"Whoever knowingly manufactures, reproduces, or uses, for the purposes of trade or as an advertisement to induce the sale of any article whatsoever, or for any other purpose, the character 'Smokey Bear' originated by the Forest Service, United States Department of Agriculture, in cooperation with the Association of State Foresters and the Advertising Council for use in animated cartoons and other forms of public information concerning the prevention of forest fires, or any reasonably identifiable facsimile thereof, or the name 'Smokey Bear' as a trade name or in such manner as reasonably suggests the character 'Smokey Bear,' shall be fined not more than \$250 or imprisoned not more than 6 months or both, except when such manufacture, reproduction, or use has been authorized, under rules and regulations issued by the Secretary of Agriculture, as being consistent with the public interest: *Provided*, That upon determination, under rules and regulations issued by the Secretary of Agriculture, that any person, because of plans or commitments made prior to the effective date of this act, would suffer substantial loss if denied such authorization, a special authorization may be issued to such person for a period not to exceed 180 days and in no event beyond 1 year from the effective date hereof: *Provided further*, That such fees as the Secretary of Agriculture may prescribe shall be deposited into a special account to be available for furthering the Nation-wide forest fire prevention campaign."

Mr. LANE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LANE: Strike out all after the enacting clause of the bill, S. 2322, and insert the provisions of the bill, H. R. 5790, as agreed to, as follows:

"That chapter 33 of title 18 of the United States Code be amended by adding a new section to be known as section 711, as follows:

"§ 711. 'Smokey Bear' character or name

"Whoever, except as authorized under rules and regulations issued by the Secretary of Agriculture after consultation with the Association of State Foresters and the Advertising Council, knowingly manufactures, reproduces, or uses the character 'Smokey Bear,' originated by the Forest Service, United States Department of Agriculture, in cooperation with the Association of State Foresters and the Advertising Council for use in public information concerning the prevention of forest fires, or any facsimile thereof, or the name 'Smokey Bear' as a trade name or in such manner as suggests the character 'Smokey Bear' shall be fined not more than \$250 or imprisoned not more than 6 months, or both.

"The Secretary of Agriculture may specially authorize the manufacture, reproduction, or use of the character 'Smokey Bear' for a period not to exceed 180 days, expiring no later than 1 year after the enactment hereof, by any person who, because of plans or commitments made prior to the enactment of this act, would suffer substantial loss if denied such authorization."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OIL AND GAS LEASES

The Clerk called the bill (H. R. 4752) to amend the mineral leasing laws in order to eliminate the waiver of rentals for oil and gas leases.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ROGERS of Colorado. I object, Mr. Speaker.

Mr. REGAN. Mr. Speaker, I wonder if the gentleman will withhold his objection. This bill has been on the Consent Calendar twice now. It is very meritorious and I should like to have the House consider it. I wonder if the gentleman will reserve the right to object so that I can make a brief explanation of the bill.

Mr. ROGERS of Colorado. May I state that after an explanation was made by the gentleman I would still have to object.

The SPEAKER. There will have to be two additional objections if the bill is to be stricken from the calendar.

Mr. SCHWABE and Mr. CUNNINGHAM objected.

The SPEAKER. Three objections are heard, and the bill is stricken from the calendar.

SUMMIT LAKE INDIAN RESERVATION

The Clerk called the bill (H. R. 4285) to reserve certain lands on the public domain in Nevada for addition to the Summit Lake Indian Reservation.

Mr. BARING. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Nevada?

There was no objection.

AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT

The Clerk called the bill (H. R. 4323) to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to enter into lease-purchase agreements to provide for the lease to the United States of real property and structures for terms of more than 5 years but not in excess of 25 years, and for acquisition of title to such properties and structures by the United States at or before the expiration of the lease terms, and for other purposes.

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

AMENDING THE FEDERAL CIVIL DEFENSE ACT

The Clerk called the bill (H. R. 5990) to amend the Federal Civil Defense Act of 1950.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES. Reserving the right to object, Mr. Speaker, I wonder if the gentleman from North Carolina [Mr. DURHAM] has an amendment prepared with respect to this proposed legislation.

Mr. DURHAM. As the gentleman recalls, on the last call of the Consent Calendar he reserved the right to object to the consideration of this measure and asked that an amendment be prepared that would cover only the leasing of property and not the purchasing of property. Such an amendment is now at the Clerk's desk.

Mr. BYRNES. What you have done now is provide that in the case of the leasing of property they can follow the procedure that is followed as far as the Army, Navy, and Air Corps are concerned on real-estate transactions, but that when they want to purchase a fee in property they shall have to come to the Congress for such authorization?

Mr. DURHAM. It would have to be by special act of Congress.

Mr. BYRNES. Right.

Mr. FORD. Mr. Speaker, will the gentleman yield?

Mr. BYRNES. I yield to the gentleman from Michigan.

Mr. FORD. I should like to have those proposals explained a bit further, because I firmly believe that the Civil Defense Administration is an emergency agency and not a permanent agency. As far as I personally am concerned, I do not want legislation that will establish the civil defense in any way whatsoever as a permanent agency. Will the gentleman explain again what his amendment will do?

Mr. DURHAM. It will only give to the Civil Defense Agency the authority to lease property. That is all this does. It does not give any authority to establish a permanent agency, any more than the legislation before did.

Mr. BYRNES. Perhaps I can explain this to the gentleman. I met with representatives of the Civil Defense Administration to go over this problem after I objected 2 weeks ago to the consideration of the bill in the form it was then presented to the House. That bill did provide that they could buy fees in real estate merely by going before the Committee on Armed Services and submitting the proposition to them, which is what the Army, the Navy, and the Air Corps do.

Mr. DURHAM. Provided they could secure funds to purchase it, of course.

Mr. BYRNES. That is right; but under this amendment, as far as getting any fee interest in property is concerned, they still would have to come to Congress with a special bill. Congress would maintain its authority in that respect. As far as leases are concerned, which, of course, are temporary and therefore consistent with the temporary nature of the agency itself they could obtain the approval by going to the Armed Services Committee with the particular lease, and upon the approval of the Armed Services Committee in the House, and the Armed Services Committee in the other body, the lease arrangement could be consummated. This arrangement is made necessary, as I under-

stand it, because of the need at this time to lease certain warehouse space.

Mr. DURHAM. The leases could not be made for more than 1 year.

Mr. FORD. Will the gentleman from North Carolina explain one thing further. Under this amendment, which is proposed, can long-term leases be made? In my judgment, a long-term lease has the same effect as obtaining a right in fee simple.

Mr. DURHAM. I have just said that the lease can be made only for 1 year.

Mr. FORD. Is that in the amendment?

Mr. DURHAM. That is in the present law. It is not in this amendment, it is in the general law which controls this agency.

Mr. FORD. In other words, in your estimation, the basic legislation provides that no leases for more than 1 year can be made by the Civil Defense Authority?

Mr. DURHAM. Yes, that is correct.

Mr. FORD. It is my recollection there are some agencies in the Federal Government, which have the authority to make leases for more than 1 year.

Mr. DURHAM. Oh yes, the Post Office Department and the GSA as well as other agencies, which have that right.

Mr. FORD. What is the basis for the Post Office Department having the right to make long-term leases, and the Civil Defense Authority having the right to make leases for 1 year?

Mr. DURHAM. That is as the result of the specific act of the Congress. That is all I can say to the gentleman. The Congress has been giving authority to make long-term leases to certain agencies. State Department for example, and others, which has the right to make long-term leases for buildings.

Mr. FORD. Mr. Speaker, until I have had an opportunity to analyze the basic law, I ask unanimous consent that this bill be passed over without prejudice. I will be glad to discuss the matter with the gentleman from North Carolina subsequently.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

STOCKBRIDGE-MUNSEE COMMUNITY, INC.

The Clerk called the bill (H. R. 5577) to declare that the United States holds certain lands in trust for the Stockbridge-Munsee Community, Inc., of the State of Wisconsin.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That title to the lands and interest in lands, together with the improvements thereon, which have been acquired by the United States under authority of title 11 of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 200), and subsequent acts, lying and situated within the Stockbridge-Munsee Indian Reservation, Wis., administrative jurisdiction over which has heretofore been transferred by the President from the Secretary of Agriculture to the Secretary of the Interior by Executive Order No. 7868, dated April 15, 1938, is hereby declared to be held in trust by the United States of America for the use and benefit of the Stockbridge-Munsee Community, Inc., of the State of Wisconsin, and

piece of proposed legislation which has ever been placed before the Senate during that period. If more persons read the bill I think there might be a thousand amendments. The bill contains 302 pages, and there is an average of 1 amendment for every 3 pages. It seems to me there should be about three amendments to every page. The offering of amendments is by no means a filibuster.

Last fall I exerted every effort in hearings before the Committee on Rules and Administration to help to put an end to filibusters. Filibusters, in my judgment, are the worst chronic characteristic of the United States Senate. The distinguished Senator from New York (Mr. LEHMAN) and I are in no sense interested in a filibuster or anything approaching one, but we are interested in seeing to it that the bill is adequately understood by the Senate of the United States, because if it is adequately understood it will insure, in my judgment, the defeat of the bill. The only way to have the bill thoroughly understood is to take it up section by section, through amendments.

The PRESIDING OFFICER. The Chair would like to observe in connection with the remarks on the subject of filibusters that the facts in the future will speak for themselves.

PROHIBITION OF MANUFACTURE AND USE OF CHARACTER "SMOKEY BEAR"

The PRESIDING OFFICER (Mr. HENDRICKSON in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 2322) prohibiting the manufacture or use of the character "Smokey Bear" by unauthorized persons, which was, to strike out all after the enacting clause and insert:

That chapter 33 of title 18 of the United States Code be amended by adding a new section to be known as section 711, as follows:

"§ 711. 'Smokey Bear,' character or name

"Whoever, except as authorized under rules and regulations issued by the Secretary of Agriculture after consultation with the Association of State Foresters and the Advertising Council, knowingly manufactures, reproduces, or uses the character 'Smokey Bear', originated by the Forest Service, United States Department of Agriculture, in cooperation with the Association of State Foresters and the Advertising Council for use in public information concerning the prevention of forest fires, or any facsimile thereof, or the name 'Smokey Bear' as a trade name or in such manner as suggests the character 'Smokey Bear' shall be fined not more than \$250 or imprisoned not more than 6 months, or both.

"The Secretary of Agriculture may specially authorize the manufacture, reproduction, or use of the character 'Smokey Bear' for a period not to exceed 180 days, expiring no later than 1 year after the enactment hereof, by any person who, because of plans or commitments made prior to the enactment of this act, would suffer substantial loss if denied such authorization."

SEC. 2. The analysis of chapter 33 immediately preceding section 701 of title 18 is amended by adding at the end thereof:

"Sec. 711. 'Smokey Bear' character or name."

SEC. 3. The Secretary of Agriculture shall deposit into a special account to be available for furthering the nationwide forest-fire prevention campaign all fees collected under regulations promulgated by him relating to "Smokey Bear" under the provisions of section 711 of title 18.

Mr. McCARRAN. Mr. President, Senate bill 2322 was passed by the Senate on February 25, 1952. Its purpose is to prevent the use of the character "Smokey Bear" in ways which would be detrimental to forest-fire prevention objectives. "Smokey Bear" has become a Nationwide symbol of forest-fire prevention, and its character and name are in the public domain. Senate bill 2322 was amended in the House, after its passage by the Senate, and is now here for the concurrence of the Senate in the House amendment. A study of the bill indicates that the language of the bill has been rewritten, but that its substance and effect are the same. The only matter added to the bill, as passed by the Senate, is a provision that the Secretary of Agriculture should, prior to making rules and regulations for the manufacture or production of the character "Smokey Bear," consult with the Association of State Foresters and the Advertising Council. The Senate version did not require such consultation.

I, therefore move that the Senate concur in the amendment of the House. The motion was agreed to.

EXECUTIVE SESSION

Mr. McFARLAND. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. HENDRICKSON in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDING OFFICER. If there be no reports, the clerk will state the nominations on the Executive Calendar.

DEPARTMENT OF JUSTICE

The Chief Clerk read the nomination of James P. McGranery, of Pennsylvania, to be Attorney General.

Mr. McCARRAN. Mr. President, it was understood a day or so ago that the opponents of the nomination would have until today, if I correctly recall, to file their minority views. I want to make my word good in that connection, and I ask that the nomination go over.

The PRESIDING OFFICER. Without objection, the nomination will be passed over.

UNITED STATES ATTORNEYS

The Chief Clerk read the nomination of Marshall E. Hanley, to be United

States attorney for the southern district of Indiana.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Brian S. Odem, to be United States attorney for the southern district of Texas.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

DIPLOMATIC AND FOREIGN SERVICE

The Chief Clerk read the nomination of Joseph C. Green, of Ohio, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Hashemite Kingdom of the Jordan.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. McFARLAND. Mr. President, I ask that the President be notified of all nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be notified of all nominations confirmed today.

RECESS

Mr. McFARLAND. I move, as in legislative session, that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 54 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, May 14, 1952, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 13 (legislative day of May 12), 1952:

UNITED STATES PUBLIC HEALTH SERVICE

The following-named candidates for appointment in the Regular Corps of the Public Health Service:

To be senior assistant scientists, effective date of acceptance

William L. Jenkins
Robert F. Sucek

IN THE COAST GUARD

The following-named persons to be lieutenants in the United States Coast Guard:

Carroll T. Newman
Raymond G. Fisher
Walton D. Alley

The following-named persons to be lieutenants (junior grade) in the United States Coast Guard:

Walter B. Alvey
Preston M. Bannister, Jr.
John C. Dowling

The following-named cadets to be ensigns in the United States Coast Guard:

William Albert Adler
Raymond Herman Baetsen, Jr.
James Morgan Barrett, Jr.
William Samuel Black
Robert Cornelius Branham
Robert Marshall Brockway
Richard Bryant Brooks
John Henry Byrd, Jr.
Robert Alfred Carlston
William Howard Clark, Jr.
Charles Russell Conley
Daniel Mathew Conway
John David Costello
Richard Scott Creter
Peter James DeLaat, Jr.
Bruce Warren Dewing
John George Drews
Francis Chalmers Duvall, Jr.
Calvin Buddy Early

Herbert William Eley
John Frederick Ellis
Charles Russell Fink
John Ireland Finn
David Matthew Glancy
William John Glass
Clarence Richard Gillett
Robert Vernon Hackney
Melvin Ward Hallock
John Robert Leo Hihn
Robert Shepard Inglis, Jr.
John Kenneth Irish, Jr.
Patrick Michael Jacobsen
Edmond Janczyk
Charles Edward Jurgelewicz
Ronald Keith Kaijala
James Riordan Kelly
Ralph Sabin Kelley, Jr.
Vincent Ettorie Keyes
Gerald Oliver Lesperance
David Joy Linde
Olin Arnold Lively
John Frank Lobkovich
Frederick Milton Long
Robert Samuel Lucas

Herbert Gordon Lyons
Paul Joseph Masley
William Grady McCauley
David Chester McClary
David Foreman McIntosh, Jr.
Robert Gerald Moore
Peter Alvin Morrill
James Stephen Murphy
John Todd Murphy, Jr.
James Joseph O'Connor, Jr.
Glen Nelson Parsons
Robert Dale Peters
Robert Turner Platt, Jr.
Donald Guy Ross
Carlton Eugene Russell
Leon Duane Santman
Richard Shea
Gilbert Parker Sherburne
Joseph Norbert Shrader
Robert Blake Sims
John Carrol Spracklin
Joseph Stech
John Datesman Steinbacher
George Edward Stickle, Jr.
Edward Gustav Taylor
Milan Aved Telian

Donald Charles Thompson
James Edward Thompson
Willie Wade Thurmond, Jr.
Eugene Gerald Verrett
Siegurd Ernst Waldheim
Donald Gilbert Wolf
Kenneth Gustave Wiman

CONFIRMATIONS

Executive nominations confirmed by the Senate May 13 (legislative day of May 12), 1952:

DIPLOMATIC AND FOREIGN SERVICE

Joseph C. Green, of Ohio, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Hashemite Kingdom of the Jordan.

UNITED STATES ATTORNEYS

Marshall E. Hanley to be United States attorney for the southern district of Indiana.
Brian S. Odem to be United States attorney for the southern district of Texas.

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued May 14, 1952
For actions of May 13, 1952
32nd-2nd, No. 81

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HIGHLIGHTS: Sen. Kem criticized Secy. Brannan and said he should resign. Senate debated immigration bill. Senate concurred in House amendment to Smokey Bear bill. Ready for President. House debated Puerto Rican constitution. Senate committee voted to report foreign aid bill.

SENATE

1. IMMIGRATION. Continued debate on S. 2550, to revise the laws relating to immigration, naturalization, and nationality (pp. 5171-98).
2. GRAIN STORAGE. Sen. Kem discussed grain-storage irregularities, claimed Secretary Brannan "has sought to conceal...unsavory conditions existing in his Department," and said the Secretary should resign (p. 5171).
3. FORESTRY. Concurred in the House amendment to S. 2322, prohibiting the unauthorized use of the character "Smokey Bear" (which is used to foster forest-fire prevention)(p. 5199). The amendment provides that, before regulations are issued under the bill, the Department must consult the Association of State Foresters and the Advertising Council. This bill will now be sent to the President.
4. FARM PRICES AND SUPPLIES. A handbook, prepared by the Department to answer questions regarding parity prices, was ordered printed as S. Doc. 129. A report by Dr. Wilcox, of the Library of Congress, on reserve levels for storable farm products, was ordered printed as S. Doc. 130. (p. 5167.)
5. FOREIGN AID. The Armed Services Committee voted to report on May 15 S. 3086, to extend the Mutual Security Program for the fiscal year 1953 (p. D446).
6. DEFENSE PRODUCTION. The Banking and Currency Committee adopted numerous amendments to S. 2594, to extend the Defense Production Act, and is expected to vote on a final draft of the bill May 21. One of the amendments agreed to, by Sen. Caneheart, would end the Act on Mar. 1, 1953, except for allocations and rent controls, which would end June 30, 1953. (p. D446.)

7. SUGAR. The Foreign Relations Committee ordered reported the protocol prolonging for 1 year the international agreement regarding regulation of the production and marketing of sugar, signed at London in 1937 (p. D446).
8. DAIRY INDUSTRY. Sen. Wiley inserted a Dairyland Cooperative Association statement favoring import-control continuation, a foot-and-mouth disease laboratory, the St. Lawrence waterway, and continuation of the prohibition against use of oleomargarine by the Navy (p. 5166).

HOUSE

9. TERRITORIES AND POSSESSIONS. Debated approval of Puerto Rican Constitution and deferred until Thursday the vote on the rule making in order the consideration of H. J. Res. 430, approving the Constitution (pp. 5202-13).
Interior and Insular Affairs Committee ordered reported (but did not actually report) H. J. Res. 421, amended, to continue authority for the Trust Territory of the Pacific Islands (p. D448).
10. WATER UTILIZATION. Passed without amendment S. 2521 the reenactment of section 6 of the Flood Control Act, 1944, authorizing the sale of surplus waters under the control of the Secretary of the Army for domestic and industrial uses. This section had been inadvertently repealed by Public Law 247, 82nd Cong. The bill was reported earlier in the day (H. Rept. 1928) (p. 5201.) This bill will now be sent to the President.
11. SURPLUS PROPERTY. Rep. Holifield discussed the problem of government surplus property disposal and the need for a better system than has previously existed (pp. 5217-21).

BILLS INTRODUCED

12. CONSTRUCTION CONTRACTS. H. R. 7834, by Rep. Bender, to prescribe policy and procedure in connection with construction contracts made by executive agencies; to Judiciary Committee (p. 5222).
13. BUDGETING; FARM CREDIT. H. R. 7837, by Rep. Cooley, to amend the Farm Credit Act of 1937 to provide that certain corporations under the supervision of the Farm Credit Administration shall cease to be subject to the budget provisions of the Government Corporation Control Act; to Agriculture Committee (p. 5222).
14. CONSTRUCTION CONTRACTS. H. R. 7841, by Rep. Haverhatter, and H. R. 7843, by Rep. Jonas, to prescribe policy and procedure in connection with construction contracts made by executive agencies; to Judiciary Committee (p. 5222).
15. PERSONNEL. H. R. 7844, by Rep. Miller, Calif., to authorize, under regulations of the Civil Service Commission, the withholding, upon request, from compensation of Federal employees amounts for the payment of certain life and hospitalization insurance; to Post Office and Civil Service Committee (p. 5222).
H. R. 7845, by Rep. Murray, to provide for right of appeal to the Civil Service Commission in the case of persons separated from the classified civil service for any cause other than reduction in force; to Post Office and Civil Service Committee (p. 5222).

ITEMS IN APPENDIX

16. GOVERNMENT VEHICLES. Rep. Holifield inserted his statement on motor pools and systems explaining the purpose and advantages of H. R. 4924, which authorize

Public Law 359 - 82d Congress
Chapter 327 - 2d Session
S. 2322

AN ACT

All 66 Stat. 92.

Prohibiting the manufacture or use of the character "Smokey Bear" by unauthorized persons.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 33 of title 18 of the United States Code be amended by adding a new section to be known as section 711, as follows:

"Smokey Bear."
62 Stat. 731.

"§ 711. 'Smokey Bear' character or name

"Whoever, except as authorized under rules and regulations issued by the Secretary of Agriculture after consultation with the Association of State Foresters and the Advertising Council, knowingly manufactures, reproduces, or uses the character 'Smokey Bear', originated by the Forest Service, United States Department of Agriculture, in cooperation with the Association of State Foresters and the Advertising Council for use in public information concerning the prevention of forest fires, or any facsimile thereof, or the name 'Smokey Bear' as a trade name or in such manner as suggests the character 'Smokey Bear' shall be fined not more than \$250 or imprisoned not more than six months, or both.

"The Secretary of Agriculture may specially authorize the manufacture, reproduction, or use of the character 'Smokey Bear' for a period not to exceed one hundred and eighty days, expiring no later than one year after the enactment hereof, by any person who, because of plans or commitments made prior to the enactment of this Act, would suffer substantial loss if denied such authorization."

SEC. 2. The analysis of chapter 33 immediately preceding section 701 of title 18 is amended by adding at the end thereof:

"Sec. 711. 'Smokey Bear' character or name."

SEC. 3. The Secretary of Agriculture shall deposit into a special account to be available for furthering the nation-wide forest-fire prevention campaign all fees collected under regulations promulgated by him relating to "Smokey Bear" under the provisions of section 711 of title 18. Deposit of fees.

Approved May 23, 1952.

3540 E

